

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Ryan D. EGELAND : **Mail Stop: Petitions**  
Serial No. 10/574,818 : Attorney Docket No. 2006\_0521A  
Filed April 6, 2006 : **Confirmation No. 3674**

ELECTROCHEMICAL TREATMENT OF SUBSTRATES  
[Corresponding to PCT/GB2004/004390  
Filed October 15, 2004]

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO 23-0975

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**PETITION UNDER 37 CFR 1.45(c) and 35 USC 118**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the PTO Notification of Missing Requirements dated December 21, 2006, the time for responding thereto being extended for four months in accordance with a petition for extension submitted concurrently herewith.

The PTO Notification requires the filing of an Oath or Declaration executed by the inventors.

There is a sole inventor of the invention described and claimed in this application. The inventor's name is Ryan D. Egeland.

Diligent efforts have been made by the owner of this application to obtain the inventor's signature. However, the inventor cannot be found or reached after diligent effort or refuses to sign the application Oath or Declaration.

The inventor agreed in writing to assign the invention to the owner of this application, Oxford Gene Technology IP Limited (OGT). Attached thereto as Exhibit 1 is a letter of agreement dated 9 June 2005 between the inventor and OGT. In signing this agreement, the inventor agreed that "any and all knowledge, research effort, papers and other inputs you have

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made and contributed to the business and activities of OGT, since joining the company in August 2002 are the sole and exclusive property of OGT and that any Intellectual Property that may exist or has been created belongs solely and exclusively to OGT". Please see the fourth paragraph on page 1 of Exhibit 1. Accordingly, OGT wishes to make this application for patent on behalf of and as agent for the inventor.

There is submitted herewith an Oath or Declaration by the inventor, executed by an authorized representative of OGT, Dr. Peter Hotten, Executive Director of OGT. The Declaration is attached hereto as Exhibit 2.

In accordance with MPEP 409.03(b)(A), the enclosed Declaration states the full name, last known address and citizenship of the non-signing inventor. The Declaration also states the title of the person signing the Declaration on behalf of OGT, his address, telephone number and email address.

Regarding MPEP 409.03(b)(B), OGT was an employer of the inventor at the time the invention described and claimed in this application was made.

Regarding MPEP 409.03(b)(C), there is submitted herewith a Declaration under 37 CFR 1.47(b) and 35 USC 118 attached as Exhibit 3 together with Appendices 1-21, which sets forth detailed facts proving that the inventor could not be found or reached after diligent effort or refused to execute the application papers.

Regarding MPEP 409.03(b)(D), please see Exhibit 2 and page 1 of Exhibit 3.

Regarding MPEP 409.03(b)(E), please see Exhibit 1.

Regarding MPEP 409.03(b)(F), OGT has paid considerable sums of money to the inventor for development of the invention described and claimed in this application. The corresponding British and International applications have been published. The filing of this application in the U.S. is necessary to preserve the rights of OGT. The loss of this application would result in loss of OGT's rights to patent protection for this invention in the U.S. OGT would suffer irreparable damage from the loss of patent protection for the invention in the U.S.

Enclosed please find the PTO surcharge for late submission of the executed Declaration of \$130.00.

Also enclosed is the PTO Petition fee of \$130.00.

Lastly, there is enclosed a copy of the PTO Notification of Missing Requirements.

Favorable consideration is solicited.

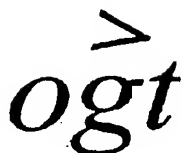
Respectfully submitted,

Ryan D. EGELAND

By Warren M. Cheek, Jr.  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicant

WMC/dlk  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
June 20, 2007

## EXHIBIT 1



Oxford Gene Technology (Operations) Ltd  
The Hirsch Building  
Begbroke Business & Science Park  
Sandy Lane, Yarnton, Oxford, OX5 1PF  
Phone: 01865 856340 Fax: 01865 842116

9 June 2005

Ryan D. Egeland  
Egeland Consulting  
346 Beacon St. #6  
Boston  
MA 02116  
USA

Dear Ryan

Further to recent email exchanges we now write to confirm the consulting arrangements between you and the Company and our requirements concerning confidentiality and ownership of Intellectual Property.

The Company has previously agreed to retain your services as a Consultant for two periods. The first period was for the three months ending 30.9.04 for which the fee was \$30,000 and the second period was for the year ending 30.9.05 for which we agreed a fee of \$100,000.

In your email dated 21<sup>st</sup> May, 2005, addressed to John Jarvis, you kindly confirmed that complete confidentiality of all matters relating to the OGT Group of Companies was not in any way a problem for you and in fact you thought it essential. In this context and as you are aware, OGT has certain confidentiality obligations to third parties and it is absolutely necessary that everything you have knowledge of, or have had access to, whether as an employee or as a Consultant to the Company, concerning the business and technical research and development activities of the OGT Group of Companies, is not discussed, passed on or otherwise communicated outside the employees of OGT and such other persons or organisations that OGT may approve, in writing, from time to time.

We also ask that you confirm that any and all knowledge, research effort, papers and other inputs you have made and contributed to the business and activities of OGT, since joining the Company in August 2002 are the sole and exclusive property of OGT and that any Intellectual Property that may exist or has been created belongs solely and exclusively to OGT.

If you are in complete agreement with the wording of this letter and the restrictions and confidentiality obligations placed upon you then please sign and return the enclosed copy of this letter to Anita Medway at the Company.

With kind regards and best wishes.

Yours sincerely



19 April 06

Pete Hotten

Director

Oxford Gene Technology (Operations) Limited



Signed.....

Ryan D. Egeland

Dated: 4. 4. 06.....

## EXHIBIT 2

Rev. 1-10-03

Effective March 1998

**DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION**

(X) Original    () Supplemental    () Substitute    (X) PCT    () DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: ELECTROCHEMICAL TREATMENT OF SUBSTRATES

of which is described and claimed in:

() the attached specification, or

(X) the specification in application Serial No. 10/574,818, filed April 6, 2006, and with amendments through

, or

(X) the specification in International Application No. PCT/GB2004/004390, filed October 15, 2004, and as amended on (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Great Britain	0324154.4	October 15, 2003	Yes
Great Britain	0417695.4	August 9, 2004	Yes

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Wans, Reg. No. 33,142; Michael S. Huppert, Reg. No. 40,268; Jeffrey R. Filippek, Reg. No. 41,471; and Douglas W. Hamm, Reg. No. 44,142, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Customer No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.




I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from Carpmaels & Ransford, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Correspondence to:		Direct Telephone Calls to:	
CUSTOMER NO. <b>000513</b>		WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250	
Full Name of First Inventor	FAMILY NAME <b>EGELAND</b>	FIRST GIVEN NAME <b>Ryan</b>	SECOND GIVEN NAME <b>D.</b>
Residence & Citizenship	CITY <b>Boston</b>	STATE OR COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>US (LAST KNOWN ADDRESS)</b>
Post Office Address	ADDRESS <b>Apartment #6, 346 Beacon Street, Boston, MA 02116 US</b>	CITY	STATE OR COUNTRY <b>MA 02116 US</b>
Full Name of Second Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Third Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP

Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor  Date 18 JUNE 2007  
Ryan D. EGELAND

Executed by Dr. Peter Hotten on behalf of Ryan D. Egeland, which sole inventor cannot be found after diligent effort or refuses to execute the application papers.

Dr. Peter Hotten is Executive Director of Oxford Gene Technology IP Limited ("OGT")  
OGT is the Owner of the Invention Described and Claimed in this Application

Dr. Peter Hotten's address is:

Oxford Gene Technology Begbroke Science Park  
Sandy Lane  
Yarnton, Oxford OX5 1PF UK  
Tel: 011-44-1865-842-604  
Email: pete.hotten@ogt.co.uk

The above application may be more particularly identified as follows:

U.S. Application Serial No. 10/374,818 Filing Date April 6, 2006

Applicant Reference Number P035667US/CIM/DBH Atty Docket No. 2006\_0521A

Title of Invention ELECTROCHEMICAL TREATMENT OF SUBSTRATES

## EXHIBIT 3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 3674  
Ryan D. EGELAND : Attorney Docket No. 2006\_0521A  
Serial No. 10/574,818 :  
Filed April 6, 2006 :  
ELECTROCHEMICAL TREATMENT  
OF SUBSTRATES

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**DECLARATION UNDER 37 C.F.R. 1.47 (b) AND 35 U.S.C. 118**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. I am Michael Bennett, Vice President for Licensing and Patents at Oxford Gene Technology (OGT). I am responsible for overseeing the administration of patent applications on behalf of Oxford Gene Technology IP Limited.
2. Dr. Ryan D. Egeland was an employee at OGT between the dates of 1st October 2003 and 18th June 2004. He was also employed as a consultant between 1st July and 30th September 2004 and between 1st October 2004 and 30th September 2005. The last known contact details that the company had for Dr. Egeland after he left were as follows:

Postal Address: Apartment 6  
346 Beacon Street  
Boston  
MA 02116  
USA

Email Addresses: [ryan@egeland.net](mailto:ryan@egeland.net)  
[ryan\\_egeland@hms.harvard.edu](mailto:ryan_egeland@hms.harvard.edu)

Telephone No.: (001) 857 991 8900

The email address [ryan@egeland.net](mailto:ryan@egeland.net) was later confirmed to be correct and up to date by both an email (Appendix 1.) from Edwin Southern (Dr. Egeland's former professor and Chairman of OGT) which was received on 8th September 2006 by Pete Hotten (the Director of Licensing and

Business Development at OGT) and a website (Appendix 2.) containing Dr. Egeland's contact details found by Gill Howells (a former Licensing and Patents Assistant at OGT) through an internet search on 8th August 2006.

3. On 6th April 2006, one of OGT's international patent applications, for which Dr. Egeland was named an inventor, was entered into the American national phase on behalf of Oxford Gene Technology IP Limited by Wenderoth Lind & Ponack L.L.P.. The international application had the following details:

Applicant	Oxford Gene Technology IP Limited
Inventor	EGELAND, Ryan D.
International application no.	PCT/GB2004/004390
International filing date	15th October 2004
Priority documents	GB 0324154.4 (filed 15th Oct 2003) GB 0417695.4 (filed 9th Aug 2004)

4. My colleague Kate Lingard (the Patent Portfolio Manager at OGT, currently on maternity leave) informed me that she had received a letter dated 26th April 2006 (Appendix 3.), from a UK firm of attorneys, Carpmaels & Ransford, who were acting as representatives for OGT and were in correspondence with Wenderoth Lind & Ponack L.L.P., enclosing a Declaration and Power of Attorney form and an Assignment form which, the letter stated, had to be signed and dated by the inventor.

5. The forms incorrectly gave an Oxford address for Dr. Egeland. I instructed Kate Lingard to inform Carpmaels & Ransford of this via email and supply them with the last known address for Dr. Egeland at Apartment 6, 346 Beacon Street, Boston, MA 02116, USA. On 4th May 2006, Kate informed me that she had received an email from Carpmaels & Ransford with a revised Declaration and Power of Attorney listing Dr. Egeland's last known address.

6. On 4th May 2006, I asked Kate Lingard to send the Assignment form and the revised Declaration and Power of Attorney form along with a covering letter (Appendix 4.) to Dr. Egeland at his last known address at Apartment 6, 346 Beacon Street, Boston, MA 02116, USA.

7. We received no reply to the letter.

8. On 13th June 2006, I asked Kate Lingard to send Dr. Egeland an email (Appendix 5.) to [ryan@egeland.net](mailto:ryan@egeland.net) and [ryan\\_egeland@hms.harvard.edu](mailto:ryan_egeland@hms.harvard.edu), enclosing the Assignment form and the revised Declaration and Power of Attorney form.

9. We received no reply to the email.

10. On 27th July 2006, I asked Kate Lingard to send a letter (Appendix 6.), using the delivery company FedEx Express, to Dr. Egeland at his address at Apartment 6, 346 Beacon Street, Boston, MA 02116, USA. A copy of the airwaybill delivery instructions (Appendix 7.), which detailed the tracking no. 838 7668 90568 of the letter, was retained. The letter enclosed the Assignment form and the revised Declaration and Power of Attorney form.

11. Oxford Gene Technology received a letter dated 4th August 2006 (Appendix 8.) from FedEx Express stating that the consignee, Dr. Egeland, was no longer at the address in Boston, MA.

12. On 8th August 2006, I asked Gill Howells to conduct an internet search to attempt to find a more recent postal address for Dr. Egeland. Gill informed me that she had accessed a web page at <http://www.egeland.net/beeper/> (Appendix 2.) which had been updated on 24th June 2006 and provided the following contact details for a Dr. Ryan D. Egeland.

Postal Address: 1809 N. Lincoln Park West, Apt B1  
Chicago  
IL 60614  
USA

Email Address: [ryan@egeland.net](mailto:ryan@egeland.net)

Telephone No.: (001) 312 47 5200  
Facsimile No.: 001) 206 202 4624

As mentioned above, the email address stated on the web page was the same as that which we had been using to date.

The website also indicated that Dr. Egeland was a resident surgeon at the Division of Plastic Surgery in the Northwestern Memorial Hospital in Chicago.

13. On 8th August, I asked Gill Howells to contact FedEx Express by telephone and informed them of Dr. Egeland's address at 1809 N. Lincoln Park West, Apt B1, Chicago, IL 60614, USA which was obtained from the website accessed on 8th August 2006. Gill informed me that she had instructed FedEx Express to deliver the letter to the new address. Gill informed Kate Lingard of these facts by email (Appendix 9.)

14. On 16th August 2006, I asked Gill Howells to access the FedEx Express online tracking facility (Appendix 10.) to track the letter sent to Dr. Egeland. The tracking facility showed that, after the letter had been readdressed from Boston to Chicago, 3 attempts had been made to deliver the letter at the address at 1809 N. Lincoln Park West, Apt B1, Chicago, IL 60614, USA without success.

15. The letter was returned to Oxford Gene Technology by FedEx Express along with an invoice dated 7th September 2006 (Appendix 11.) showing that the letter (no. 838 7668 90568) was not delivered.

16. On 2nd October 2006, Gill Howells received an email (Appendix 12.) from Kate Lingard informing her that Kate had found an old email from Dr. Egeland providing the following address which Kate assumed to be that of Dr. Egeland's parents.

Postal Address: 16505 Birch Briar Trail  
Plymouth  
MN 55447  
USA

17. On 2nd October 2006, I asked Kate Lingard to send a letter (Appendix 13.), using the delivery company FedEx Express, to Dr. Egeland at the address provided in her email to Gill Howells at 16505 Birch Briar Trail, Plymouth, MN 55447, USA. The letter enclosed the Assignment form and the revised Declaration and Power of Attorney form.

18. FedEx Express provided an invoice (Appendix 14.) which stated that the letter, assigned tracking no. 858 0782 05892, had been received and signed for by Dave Egeland at the address at 16505 Birch Briar Trail, Plymouth, MN 55447, USA on 4th October 2006.

19. We received no reply to the letter.

20. On 29th November, I sent Dr. Egeland an email (Appendix 15.) to ryan@egeland.net asking him to confirm his postal address.

21. I received no reply to the email.

22. On 18th December 2006, I received an email (Appendix 16.) from Gill Howells informing me that she had telephoned Dr. Egeland using the telephone number (001) 312 47 5200 which she had obtained from the web page accessed on 8th August 2006. The telephone call was put through to a voicemail service and Gill informed me that she was able to hear Dr. Egeland's voice in the recorded voicemail message. Gill left a voicemail message asking him to telephone her, me or Pete Hotten.

23. Dr. Egeland did not return the telephone call.

24. On 13th March 2007, I asked Gill Howells to instruct Bryan Hales of Kirkland & Ellis LLP, a US law firm, to send an investigator to Dr. Egeland's address at 1809 N. Lincoln Park West, Apt B1, Chicago, IL 60614, USA with the Assignment form and the Declaration and Power of Attorney form for Dr. Egeland to sign.

25. On 16th March 2007, Gill Howells informed me that she had received an email (Appendix 17.) from Min Wang of Kirkland & Ellis LLP indicating that a letter was to be sent from Kirkland & Ellis LLP to Dr. Egeland's address at 1809 N. Lincoln Park West, Apt B1, Chicago, IL 60614, USA and that, if no reply was received, someone would be sent to his address.

26. On 22nd March 2007 I asked Gill Howells to send Min Wang an email (Appendix 18.) enquiring as to whether Kirkland & Ellis LLP had received a response from Dr. Egeland. Gill informed me that she received a reply from Min Wang indicating that no reply had been received; that Min Wang would telephone Dr. Egeland and, if unsuccessful, arrange for someone to be sent to his address in Chicago.

27. On 29th March 2007, Gill Howells informed me that she had received an email (Appendix 19.) from Min Wang indicating that, on the 27th March 2007, a person had been sent to Dr. Egeland's home address at 1809 N. Lincoln Park West, Apt B1, Chicago, IL 60614, USA and to his work address at the Northwestern Memorial Hospital in Chicago but that the investigator did not locate him. The email stated that a House Staff Coordinator at the hospital informed the person that Dr. Egeland was on vacation and would return to work on Monday 9th April 2007. I was later informed that the person was an investigator employed by the James Mintz Group, an investigative services firm.

28. On 12th April 2007, Gill Howells informed me that she had received an email (Appendix 20.) from Min Wang indicating that the investigator had been sent to Dr. Egeland's home and work addresses again on Saturday 7th and Monday 9th April 2007 but that the investigator could not locate him. Min Wang was of the opinion that Dr. Egeland was intentionally avoiding being contacted.

29. Following the attempts made by the James Mintz group to contact Dr. Egeland, an investigator's report (Appendix 21.) was drawn up. The report stated the following:

- On the 9th April 2007, the investigator attempted to contact Dr. Egeland at the hospital where he works using his pager, but with no success. The investigator met with the hospital's agent who informed the investigator that Dr. Egeland was still on vacation and that he did not know when Dr. Egeland would return. The agent did not respond when informed that Dr. Egeland was expected back at work today. The investigator also telephoned the hospital to enquire about Dr. Egeland's whereabouts but was told that Dr. Egeland was not in the building.

The investigator then went to Dr. Egeland's residence and gained access to his apartment block. The investigator could see light through the peephole and could hear a television. The investigator knocked on the door and a shadow appeared at the peephole. The light and the television were turned off. There was no response after the investigator continued to knock at the door. The investigator waited at the apartment block for about an hour but nobody left the apartment.

- On the 11th April 2007, the investigator attempted to contact Dr. Egeland at the hospital but was told that he was not at work. Again, the investigator gained access to Dr. Egeland's apartment block and could see light and hear a television or radio in his apartment. The investigator used the intercom system but received no reply. The investigator knocked at Dr. Egeland's door but received no answer. The investigator waited at the apartment block for about an hour but nobody left the apartment.




- On the 18th April 2007, the investigator telephoned the hospital and, although the hospital could not confirm whether or not Dr. Egeland was on the premises, it was established that he was scheduled to work on that day. The investigator attempted to contact Dr. Egeland on the 12th and 19th floors, which were linked to the Plastic Surgery Department where Dr. Egeland works, but could not locate him. Staff on those floors said that they did not know Dr. Egeland or that he was not at work today. A nurse informed the investigator that Dr. Egeland may work at other Cook County hospitals. The investigator attempted to contact Dr. Egeland using his pager, but received no response.

The investigator again gained access to Dr. Egeland's apartment block but could not hear any activity in his apartment or locate him on the premises. The investigator left a telephone message on Dr. Egeland's answering machine but received no reply.

- On the 19th April 2007, the investigator attempted to contact Dr. Egeland at the hospital in person but was told that his whereabouts were unknown. The investigator attempted to contact Dr. Egeland using his pager but received no response. When the investigator arrived at Dr. Egeland's apartment, he was not there. The investigator left a message on Dr. Egeland's answering machine but received no reply.

I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date: 15<sup>th</sup> June 2007

  
(Michael Bennett)

## APPENDIX 1

①

**Gill Howells**

---

**From:** Pete Hotten  
**Sent:** 11 September 2006 08:39  
**To:** Kate Lingard  
**Subject:** FW: Ryan[Scanned]

Kate  
Ed has provided an email address for Ryan – see below  
Pete

Dr Peter Hotten  
Director - Licensing & Business Development Oxford Gene Technology Begbroke Science  
Park Sandy Lane Yarnton Oxford OX5 1PF UK

T: +44 (0)1865 842 604  
F: +44 (0)1865 848 684  
M: +44 (0)7738 183 603  
E: [pete.hotten@ogt.co.uk](mailto:pete.hotten@ogt.co.uk)  
W: [www.ogt.co.uk](http://www.ogt.co.uk)

Confidentiality Notice: The contents of this email from Oxford Gene Technology are confidential and intended solely for the person to whom it is addressed. It may contain privileged and confidential information. If you are not the intended recipient you must not read, copy, distribute, discuss or take any action in reliance on it. If you have received this email in error please advise the sender so that we can arrange for proper delivery. Then please delete the message from your inbox. Thank you.

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**From:** Ed Southern [<mailto:ed.southern@bioch.ox.ac.uk>]  
**Sent:** 08 September 2006 17:17  
**To:** Pete Hotten  
**Subject:** Re: Ryan[Scanned]

Pete,

The most recent address I have is:  
[ryan@egeland.net](mailto:ryan@egeland.net)

----- Original Message -----

**From:** Pete Hotten  
**To:** Ed Southern ; Ed Southern External  
**Sent:** Friday, September 08, 2006 4:54 PM  
**Subject:** Ryan

Ed

Would you have an up-to-date point of contact (email / phone /address) for Ryan? L&P have tried contacting since May but without getting any response. We would like Ryan to complete certain patent related forms.

Pete

12/02/2007

Dr Peter Hotten  
Director - Licensing & Business Development Oxford Gene Technology Begbroke Science  
Park Sandy Lane Yarnton Oxford OX5 1PF UK

T: +44 (0)1865 842 604  
F: +44 (0)1865 848 684  
M: +44 (0)7738 183 603  
E: [pete.hotten@ogt.co.uk](mailto:pete.hotten@ogt.co.uk)  
W: [www.ogt.co.uk](http://www.ogt.co.uk)

Confidentiality Notice: The contents of this email from Oxford Gene Technology are confidential and intended solely for the person to whom it is addressed. It may contain privileged and confidential information. If you are not the intended recipient you must not read, copy, distribute, discuss or take any action in reliance on it. If you have received this email in error please advise the sender so that we can arrange for proper delivery. Then please delete the message from your inbox. Thank you.

This email has been scanned by Oxford Gene Technology Security Systems.

12/02/2007

## APPENDIX 2



## Send Page to Ryan D. Egeland

- You can send a page to Ryan by typing in the message here.
- There is a limit of 240 characters.
- The system may take up to 5 minutes to deliver the page.
- Please include your name and number.

Send

### **Ryan D. Egeland, MD PhD MBA**

Resident Surgeon  
Division of Plastic Surgery  
Northwestern Memorial Hospital

#### **Current Residence**

1809 N. Lincoln Park West, Apt B1  
Chicago, IL 60614  
312.47.5200 (c) 206.202.4624 (f)  
ryan@egeland.net

*This page last updated 24 June 2006*

## APPENDIX 3

# CARPMAELS & RANSFORD

3

CHARTERED PATENT ATTORNEYS EUROPEAN PATENT ATTORNEYS TRADE MARK ATTORNEYS

43-45 BLOOMSBURY SQUARE  
LONDON WC1A 2RA

AND AT MUNICH

TELEPHONE 020-7242 8692  
FACSIMILE 020-7405 4166  
WEBSITE [www.carpmaels.com](http://www.carpmaels.com)  
E-MAIL [email@carpmaels.com](mailto:email@carpmaels.com)

Oxford Gene Technology IP Ltd  
Begbroke Business & Science Park  
Hirsch Building  
Sandy Lane, Yarnton  
Oxford  
OX5 1PF  
Attn: K. Lingard

N KEITH HOWICK\*†  
ADRIAN J FISHER\*†  
CHRIS P MERCER\*†  
HUW G HALLYBONE\*†  
RICHARD E JACKSON\*†  
PAUL N HOWARD\*†  
ANNE WONG†  
ANTHONY C W P JAM  
BRUCE R COCKERT†  
CAMERON MARSHA  
HUGH R GOODFELL†  
CHRIS TUNSTA  
SUSAN E KIRSI  
JAMES A WARM†  
JONATHAN M THURGOX  
JOHN M O BRUNNI  
CLAIRE L WILLIAMS†  
DAVID R SPINNI  
D MARK CHAPMA  
SARAH KEE  
JACK W CUNT  
KATE L CHENE

CONSULTANTS  
DEREK G R GRUNDY  
S DAVID VOTIER OBE  
IAN B P de M DEVAUX  
STEPHEN J COLG.  
JOHN W M CARPMA  
ALAN J JON  
\*CPA and EPA †EPA 17M

YOUR REF 8/PR-1.US

OUR REF P035667US/CJM/DBH

26th April 2006

Dear Sirs,

Re: Patent Application in United States of America  
from International Patent Application No. PCT/GB2004/004390  
OXFORD GENE TECHNOLOGY IP LIMITED


We thank you for your instructions in this matter.

Please find enclosed the following documents, which should be executed and returned to us as soon possible:

- Declaration/Power of Attorney – to be signed and dated by the inventor
- Assignment – to be signed and dated by the inventor

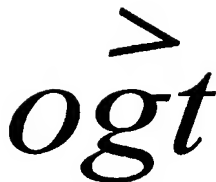
If you have any comments or queries please do not hesitate to contact us.

Yours truly,

  
CARPMAELS & RANSFORD



## APPENDIX 4



Oxford Gene Technology IP Ltd  
Begbroke Business and Science Park  
Sandy Lane, Yarnton,  
Oxford, OX5 1PF, UK  
Phone: +44 (0) 1865 842603  
Fax: +44 (0) 1865 848684

4 May 2006

Dr Ryan Egeland  
Apartment 6  
346 Beacon Street  
Boston  
MA 02116  
USA

Dear Ryan,

**OGT Patent Family 8 – Electrochemical Treatment of Substrates**  
**International Patent Application No. PCT/GB2004/004390 published as WO2005/037425**

OGT's patent family 8, for which you are the named inventor, has reached the national phase of its prosecution and OGT has elected to file a patent application in the US to protect this technology.

In order to proceed with this application there are two forms that require your signature:

- Declaration/Power of Attorney – needs to be signed and dated
- Assignment – needs to be signed and dated with the signature witnessed.

If you have any questions about these forms please do not hesitate to contact me

Yours sincerely,

Kate Lingard  
Patent Portfolio Manager

## DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

(X) Original    () Supplemental    () Substitute    (X) PCT    () DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: ELECTROCHEMICAL TREATMENT OF SUBSTRATES

of which is described and claimed in:

() the attached specification, or

(X) the specification in application Serial No. NEW, filed April 6, 2006, and with amendments through \_\_\_\_\_,

or

(X) the specification in International Application No. PCT/GB2004/004390, filed October 15, 2004, and as amended on (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Great Britain	0324154.4	October 15, 2003	Yes
Great Britain	0417695.4	August 9, 2004	Yes

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; Michael S. Huppert, Reg. No. 40,268; Jeffrey R. Filipek, Reg. No. 41,471; and Douglas W. Hahm, Reg. No. 44,142, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Customer No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from Carpmaels & Ransford, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Correspondence to:		Direct Telephone Calls to:	
<b>CUSTOMER NO.</b> <b>000513</b>		<b>WENDEROTH, LIND &amp; PONACK, L.L.P.</b> 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250	
<b>Full Name of First Inventor</b>	<b>FAMILY NAME</b> EGELAND	<b>FIRST GIVEN NAME</b> Ryan	<b>SECOND GIVEN NAME</b> D.
<b>Residence &amp; Citizenship</b>	<b>CITY</b> Boston	<b>STATE OR COUNTRY</b> MA	<b>COUNTRY OF CITIZENSHIP</b> US
<b>Post Office Address</b>	<b>ADDRESS</b> Apartment #6, 346 Beacon Street, Boston, MA 02116 US <b>CITY</b> <b>STATE OR COUNTRY</b> <b>ZIP CODE</b>		
<b>Full Name of Second Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b> <b>ZIP CODE</b>
<b>Full Name of Third Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b> <b>ZIP CODE</b>
<b>Full Name of Fourth Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b> <b>ZIP CODE</b>
<b>Full Name of Fifth Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b> <b>ZIP CODE</b>
<b>Full Name of Sixth Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b> <b>ZIP CODE</b>

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor	_____	Date
	Ryan D. EGELAND	
2nd Inventor	_____	Date
3rd Inventor	_____	Date
4th Inventor	_____	Date
5th Inventor	_____	Date
6th Inventor	_____	Date

The above application may be more particularly identified as follows:

U.S. Application Serial No. NEW Filing Date April 6, 2006

Applicant Reference Number P035667US/CJM/DBH Atty Docket No. 2006\_0521A

Title of Invention ELECTROCHEMICAL TREATMENT OF SUBSTRATES

## APPENDIX 5

5

## Kate Lingard

---

**From:** Kate Lingard  
**Sent:** 13 June 2006 17:46  
**To:** 'ryan@egland.net'  
**Cc:** 'ryan\_egeland@hms.harvard.edu'  
**Subject:** Forms for signature

**Attachments:** Assignment.pdf; Declaration and Power of Attorney.pdf

Dear Ryan,

Please find attached copies of two documents that were sent to you last month for signature to enable OGT to continue prosecution of the International Patent Application No. PCT/GB2004/004390 published as WO2005/037425 – Electrochemical Treatment of Substrates in the US.

The two forms that require your signature are:

- Declaration/Power of Attorney – needs to be signed and dated
- Assignment – needs to be signed and dated with the signature witnessed.

If you have any questions about these forms please do not hesitate to contact me but I would be grateful if you could print them out, sign them and return them to me as soon as possible.

Regards,  
Kate



Assignment.pdf (54  
KB)



Declaration and  
Power of Attor...

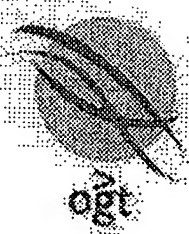
Kate Lingard  
Patent Portfolio Manager  
Oxford Gene Technology  
Begbroke Science Park  
Sandy Lane Yarnton  
Oxford OX5 1PF UK

T: +44 (0)1865 842 603  
F: +44 (0)1865 842 684  
E: kate.lingard@ogt.co.uk  
W: www.ogt.co.uk

Confidentiality Notice: The contents of this email from Oxford Gene Technology are confidential and intended solely for the person to whom it is addressed. It may contain privileged and confidential information. If you are not the intended recipient you must not read, copy, distribute, discuss or take any action in reliance on it. If you have received this email in error please advise the sender so that we can arrange for proper delivery. Then please delete the message from your inbox. Thank you.

## APPENDIX 6





27 July 2005

Dr Ryan Eggold  
Apartment 6  
343 Beacon Street  
Boston  
MA 02136  
USA

Our Ref: OGT-1

Dear Ryan,

**OGT Patent Family 8 – Electrochemical Treatment of Substrates**  
International Patent Application No. PCT/GB2004/004390 published as WO2005/037425

The family 8 patent application, for which you are a named inventor, has reached the national stage of its lifespan and OGT is taking prosecution of the patent forward in Europe, Japan and the US.

To proceed with a US patent application it is standard practice for all named inventors to sign a Declaration and Power of Attorney forms and b) Assignment forms in order to process the applications.

The Declaration and Power of Attorney form allows the US patent attorney firm Wendorff, Lind & Ponack to accept instructions from Carpinado and Ransford on our behalf as only US firms have the authority to transact business with the US patent office. The Assignment Form gives OGT IP Ltd the right to be named as the Assignee on the patent.

Please can you sign and date the enclosed Assignment document (on page 2) in the presence of two witnesses and sign and date the Declaration and Power of Attorney form (on page 3) and return them to me as soon as possible so that we can progress examination of the application as soon as possible. I have enclosed a copy of each form for you to keep for your own records.

If you have any questions please let me know.

Yours sincerely

*K. Lingard*

Kate Lingard  
Patent Portfolio Manager

Enc. Assignment form and Declaration/Power of Attorney form

Rev. 1-10-01

Effective March 1993

**DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION**

(X) Original ( ) Supplemental ( ) Substitution (X) PCT ( ) DESIGN

As a below named inventor, I hereby declare that my residence, past office address, and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: ELECTROCHEMICAL TREATMENT OF SUBSTRATES

of which is described and claimed in:

( ) the attached specification, or

(X) the specification in application Serial No. NEW, filed April 6, 2005, and with amendments through \_\_\_\_\_

or

(X) the specification in International Application No. PCT/GB2004/004390, filed October 15, 2004, and as amended on \_\_\_\_\_

(if applicable).

I hereby state that I have reviewed and understand the content of the above identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §121 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Great Britain	0324154.4	October 15, 2003	Yes
Great Britain	0417695.4	August 9, 2004	Yes

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,154; Matthew M. Jacobs, Reg. No. 25,154; Warren M. Chubb, Jr., Reg. No. 33,167; Nils Pedersen, Reg. No. 33,143; Charles R. Watts, Reg. No. 33,142; Michael S. Hopper, Reg. No. 40,260; Jeffrey R. Pollock, Reg. No. 41,471; and Douglas W. Hultin, Reg. No. 43,142, who together constitute the firm of WATSON-ROTH, LIND & MONACK, L.L.P., as well as any other attorneys and agents associated with Client No. 000513, to prosecute my application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from Carrington & Harford, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Corporation Form 10		Direct Telephone Call to	
CUSTOMER NO. <b>000513</b>		WENTHROP, LINDA HONOLULU, T.H.P. 2835 K Street, N.W., Suite 800 Washington, D.C. 20006-0025 Phone (202) 725-5250 Fax (202) 725-6250	
Full Name of First Inventor	FAMILY NAME <b>EGGLAND</b>	FIRST GIVEN NAME <b>Ryan</b>	SECOND GIVEN NAME <b>D.</b>
Residence & Citizenship	CITY <b>Boston</b>	STATE OR COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>US</b>
Post Office Address	ADDRESS <b>Apartment #6, 346 Beacon Street, Boston, MA 02116 US</b>	CITY	STATE OR COUNTRY <b>MA</b>
Full Name of Second Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY <b>MA</b>
Full Name of Third Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY <b>MA</b>
Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY <b>MA</b>
Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY <b>MA</b>
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY <b>MA</b>

I further declare that all statements made herein of my own knowledge are true, and that all statements of information and belief are believed to be true, and further that these statements were made with the knowledge that without false statements and the like are

made are penalized by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application for any patent issuing thereon.

1st Inventor	Ryan D. EGGLAND	Date
2nd Inventor		Date
3rd Inventor		Date
4th Inventor		Date
5th Inventor		Date
6th Inventor		Date

The above application may be more particularly identified as follows:

U.S. Application Serial No.          NW          Filing Date April 6, 2006

Apparatus Reference Number P01566715/CIM/DIII Any Doclet No. 2006-0521A

Title of Invention ELECTROCHEMICAL TREATMENT OF SUBSTRATES



**ASSIGNMENT**

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned

Invent Name(s)  
of Invention(s)

Ryan D. EGELAND

the undersigned hereby sell(s) and assign(s) to:

Invent Name(s)  
of Assignee(s)

Oxford Gene Technology, Inc. Limited

Address

of Beahroke Business & Science Park, Hitech Building, Sandy Lane, Yarnton Oxford OX5 1PR, Great Britain

Title of  
Invention

(hereinafter designated as the Assignee) the entire right, title and interest for the United States as defined in 35 USC 100, in the invention known as

ELECTROCHEMICAL TREATMENT OF SUBSTRATES

Date of Signing  
of Application

for which an application for patent in the United States has been executed by the undersigned  
on

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to make any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grants the firm of WENDEROTH, LIND & PONACK, L.L.P., 2033 K Street, N.W., Suite 800, Washington, D.C. 20006-1421, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordal of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date \_\_\_\_\_

Ryan D. EGE AND \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

(This assignment should preferably be acknowledged before a United States Consul. If not, then the execution by the inventor(s) should be witnessed by at least two witnesses who sign here.)

Witness \_\_\_\_\_

Witness \_\_\_\_\_

The above application may be more particularly identified as follows:

U.S. Application Serial No. NEW Filing Date April 6, 2006

Applicant Reference Number P015667US/CIM/DH Atty. Docket No. 2006-0521A

Title of Invention ELECTROCHEMICAL TREATMENT OF SUBSTRATES

## APPENDIX 7

# FedEx International Air Waybill

Express For FedEx service worldwide

1 From Please affix postage  
 Date 24/11/01 Sender's FedEx Account Number 2656-2819-2  
 Sender's Name G. Howells Phone 01865 802403  
 Company OXFORD GENE TECHNOLOGY IP LTD  
 Address BEGBROKE BUSINESS & SCIENCE PK  
 Address THE HIRSCH BLDG, SANDY LANE  
 City YARNTON, OXFORD State/Province  
 Country GB ZIP Postal Code OX5 1PF  
 2 To Recipient's Name Dr Ryan Egeand Phone  
 Company Apartment 6  
 Address 346 Beacon Street  
 Address Boston  
 City Boston State/Province  
 Country USA ZIP Postal Code MA 02116

3 Shipment Information ☐ For EU Ship: Tick here if goods are not to be classified and provide G.L.  
 Total Packages 1 Total Weight 5.5 kg ☒ lb ☐ oz  
 Contents (to be filled in) Letter Country of Manufacture USA  
 Value for Customs Nil  
 For U.S. Export Only: Check One ☐ No ESD marking with ESDC code ☐ No ESD marking with ESDC code and ESDC number  
 For U.S. Import Only: Check One ☐ No ESD marking with ESDC code ☐ No ESD marking with ESDC code and ESDC number  
 For U.S. Import Only: Check One ☐ No ESD marking with ESDC code ☐ No ESD marking with ESDC code and ESDC number

/0045/0200/0023724209/5

Sender's Copy

4 Express Package Service ☒ FedEx Int. Priority ☐ FedEx Int. First ☐ Available in most locations. Higher rates apply.  
 Packages up to 150 lbs / 68 kg. For packages over 150 lbs, FedEx will use the FedEx Express Service and Air Waybill to all destinations.  
 5 Packaging ☐ FedEx Envelope ☐ FedEx Pak ☐ FedEx 10kg Box ☐ FedEx 25kg Box ☐ Other ☐  
 6 Special Handling ☐ HOLD at FedEx Location ☐ SATURDAY Delivery ☐ Available in most locations. Higher rates apply.  
 7a Payment \$/20 transportation charges for ☐ Sender's Account No. 2656-2819-2 ☐ Recipient ☐ Third Party ☐ Cash ☐ Check ☐ Card ☐ Cheque ☐ FedEx Use Only  
 7b Payment \$/20 charges and taxes for ☐ Sender's Account No. 2656-2819-2 ☐ Recipient ☐ Third Party ☐ Cash ☐ Check ☐ Card ☐ Cheque ☐ FedEx Use Only  
 8 Your Internal Billing Reference RCSA OPTIONAL  
 9 Required Signature ☒ Sender's Signature ☐ Recipient's Signature ☐ Third Party Signature  
 Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that the signatory does not require a U.S. State Department License or certain Dangerous Goods. Certain International Services, including the Worldwide Convention, may apply to this shipment and incur liability for damage, loss, or delay, as described in the Conditions of Contract. We warrant that these commodities, technologies, or software were exported from the United States in accordance with Export Administration Regulations. Departure contrary to U.S. law prohibited.  
 Signature of Sender Date 24/11/01  
 This is not an invoice and is not to be used as a receipt without a separate signature.  
 For Completion Instructions, see back of fifth page.  
 FedEx Tracking Number 8387 6689 0568 Form ID No. 0402  
 Try online shipping at [fedex.com](http://fedex.com)  
 The terms and conditions of service apply to every country to which you ship. Consult our local office for specific information.  
 Questions? Visit our Web site at [fedex.com](http://fedex.com).  
 Or in the U.S., call 800.237.4747. Outside the U.S., call your local FedEx office.

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## APPENDIX 8



Customer Services  
Federal Express Europe Inc.  
Sutherland House  
Matlock Road  
Foleshill  
Coventry  
CV1 4JQ

Telephone: 08456 070 809  
www.fedex.com

VAT Registration No. 790 0386 27



Oxford Gene Technology IP Ltd  
The Hirsh Building  
Begbroke Science Park  
Bicester  
OX5

4 August 2006

Dear Sirs

**Re: Air Waybill 838766890568**

I refer to the above consignment. Regrettably we are having difficulties in trying to contact you regarding the delivery of your package. Unfortunately the contact telephone number we have for you is incorrect.

Your shipment is currently in USA waiting delivery but our Colleagues advise that the consignee is no longer at that address. Please can you contact us as soon as possible on 08456 070809 and our customer service agents will be available to take the relevant information.

Please be aware that we require further instructions by 9 August 2006 to rectify this situation otherwise the shipment will be returned to yourself at your expense.

We look forward to hearing from you shortly

Yours sincerely

Colette Franklin  
Customer Service  
FedEx UK & Ireland

346, Beacon Street.  
Apartment 6. Boston.  
Dr. R. Egeland.

29<sup>th</sup> July 2006.  
Ryan has moved.

## APPENDIX 9

## Gill Howells

---

**From:** Kate Lingard  
**Sent:** 08 August 2006 14:48  
**To:** Gill Howells  
**Subject:** RE: Online FedEx Tracking - 838766890568[Scanned]

Ok thanks Gill.

-----Original Message-----

**From:** Gill Howells  
**Sent:** 08 August 2006 14:41  
**To:** Kate Lingard  
**Subject:** RE: Online FedEx Tracking - 838766890568[Scanned]

Kate,

It seems that Ryan has moved on from the address supplied to us by Anita.

I have called Fedex with his new details.

Gill

Gill Howells  
Licensing & Patents Administrator  
Oxford Gene Technology  
Begbroke Science Park  
Sandy Lane Yamton  
Oxford OX5 1PF UK

T: +44 (0)1865 842 603  
F: +44 (0)1865 848 684  
E: gill.howells@ogt.co.uk  
W: www.ogt.co.uk

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-----Original Message-----

**From:** Kate Lingard  
**Sent:** 07 August 2006 15:05  
**To:** Gill Howells  
**Subject:** RE: Online FedEx Tracking - 838766890568[Scanned]

Thanks Gill - is that because they haven't been able to deliver it to Ryan's address?

-----Original Message-----

**From:** gill.howells@ogt.co.uk [mailto:gill.howells@ogt.co.uk]  
**Sent:** 07 August 2006 15:01  
**To:** undisclosed-recipients:  
**Subject:** Online FedEx Tracking - 838766890568[Scanned]

Kate, as you can see ryan's package still hasn't been delivered.

Gill

Tracking number 838766890568

Ship date Jul 29, 2006  
Destination BOSTON, MA  
Service type Priority Envelope

## APPENDIX 10



United Kingdom Home

Customer Service

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[Ship](#) [Track](#) [Rates and Transit Time](#) [Locations](#) [Pickup](#) [Supplies](#) [Customs](#)
[About FedEx](#) | [Service Info](#) | [eBusiness Tools](#) | [Shipping Guide](#)

## Track Shipments Detailed Results

[Printable Version](#) [Quick Help](#)

You can also track

**Tracking number** 838766890568  
**Ship date** Jul 29, 2006

**Destination**  
**Service type**  
**Weight**

BOSTON, MA  
Priority Envelope  
0.5 kgs.

• [Track by Email](#)

**Status** At FedEx destination

Date/Time	Activity	Location	Details
Aug 15, 2006	12:32 AM At local FedEx facility	CHICAGO, IL	
Aug 14, 2006	3:47 PM At local FedEx facility	CHICAGO, IL	
	9:22 AM Delivery exception	CHICAGO, IL	Customer not available or business closed
	7:27 AM On FedEx vehicle for delivery	CHICAGO, IL	
Aug 11, 2006	2:06 PM Delivery exception	CHICAGO, IL	Customer not available or business closed
	7:25 AM On FedEx vehicle for delivery	CHICAGO, IL	
Aug 10, 2006	9:19 AM Delivery exception	CHICAGO, IL	Customer not available or business closed
	7:33 AM On FedEx vehicle for delivery	CHICAGO, IL	
	7:07 AM At local FedEx facility	CHICAGO, IL	
	6:47 AM At dest sort facility	CHICAGO, IL	
	4:53 AM Arrived at FedEx location	CHICAGO, IL	
	4:58 AM Departed FedEx location	INDIANAPOLIS, IN	
	12:38 AM Arrived at FedEx location	INDIANAPOLIS, IN	
Aug 9, 2006	8:39 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 8, 2006	6:45 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 7, 2006	6:08 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 5, 2006	9:30 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 4, 2006	6:40 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 3, 2006	8:18 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 2, 2006	8:43 AM At local FedEx facility	SOUTH BOSTON, MA	
Aug 1, 2006	2:45 PM At local FedEx facility	SOUTH BOSTON, MA	
	10:08 AM Delivery exception	SOUTH BOSTON, MA	Incorrect address
	8:27 AM On FedEx vehicle for delivery	SOUTH BOSTON, MA	
Jul 31, 2006	4:11 PM At local FedEx facility	SOUTH BOSTON, MA	
	9:57 AM Delivery exception	SOUTH BOSTON, MA	Incorrect address
	8:00 AM On FedEx vehicle for delivery	SOUTH BOSTON, MA	
Jul 30, 2006	12:21 PM Arrived at FedEx location	MEMPHIS, TN	
	10:10 AM Int'l shipment release	MEMPHIS, TN	



	6:25 AM	Departed FedEx location	NEWARK, NJ
	6:11 AM	Arrived at FedEx location	NEWARK, NJ
	1:53 AM	Arrived at FedEx location	NEWARK, NJ
Jul 29, 2006	11:38 AM	Left origin	BISHOPS STORTFORD GB

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**Subscribe to tracking updates (optional)**Your Name: Your Email Address: 

Email address	Language	Exception updates	Delivery updates
<input type="text"/>	English <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	English <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	English <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	English <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

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## APPENDIX 11





Federal Express (Europe) Inc. Sutherland House, Matlock Road, Foleshill, Coventry, CV1 4JQ

If you have any questions regarding this invoice, please call :  
Telephone: 0845 607 0809 Fax: 024 76 702739  
Email: invhelp@fedex.com

OXFORD GENE TECHNOLOGY IP LTD  
BEGBROKE BUSINESS & SCIENCE PK  
THE HIRSCH BLDG, SANDY LANE  
YARNTON, OXFORD  
OX5 1PF

Customer No. 2656-2819-2  
Customer VAT No. GB663651915

**INVOICE** Pin 1463  
PAGE 1 OF 4  
INVOICE NO. 5-249-46707

TRANSPORTATION CHARGES

07 September 2006

Payment to:  
FEDERAL EXPRESS EUROPE INC  
PO BOX 119  
COVENTRY  
CV1 4QD

FEDEX VAT NO: GB 790 0386 27  
FEDEX LISTED AGENTS NO: 264

**TOTAL AMOUNT DUE GBP 313.61**

SHIPMENT DETAILS

PAYMENT DUE : 22 September 2006

<b>AIRWAYBILL NO. 838 7668 90568</b>		<b>SHIPMENT DATE : 28/07/2006</b>	
<b>Sender</b> OXFORD GENE TECHNOLOGY IP BEGBROKE BUSINESS & SCIENC THE HIRSCH BLDG, SANDY LAN YARNTON, OXFORD OX5	<b>Recipient</b> DR RYAN EGELAND APARTMENT 6 346 BEACON STR BOSTON MA 02116 US	<b>FUEL SURCHARGE</b>	<b>GBP 3.48</b>
<b>Senders Ref</b> Service FEDEX ENVELOPE VAT Exempt according to Article 15.13 of the Sixth Directive Incorrect recipient address. Fuel Surcharge - FedEx has applied a fuel surcharge to this shipment of 12.50%		<b>FREIGHT</b>	<b>GBP 27.80</b>
<b>Pieces</b> 1 <b>Weight</b> 0.50 kg <b>Delivered</b> <b>Signed</b>	<b>L+P</b> 11/9/06 eg		
<b>BATCH NO. 29503 XRE - GBR</b>		<b>SUBTOTAL GBP</b>	<b>31.28</b>

<b>AIRWAYBILL NO. 838 7668 90580</b>		<b>SHIPMENT DATE : 08/08/2006</b>	
<b>Sender</b> OXFORD GENE TECHNOLOGY IP ENNETT BEGBROKE BUSINESS & SCIENC THE HIRSCH BLDG, SANDY LAN YARNTON, OXFORD OX5	<b>Recipient</b> NGK INSULATORS LTD SATCHI YAMADA 2-56 SUDA-CHO MIZUHO JP - 46785-30 NAGOYA	<b>FUEL SURCHARGE</b>	<b>GBP 4.42</b>
<b>Senders Ref LENA</b> Service FEDEX ENVELOPE VAT Exempt according to Article 15.13 of the Sixth Directive Fuel Surcharge - FedEx has applied a fuel surcharge to this shipment of 13.00%		<b>FREIGHT</b>	<b>GBP 34.00</b>
<b>Pieces</b> 1 <b>Weight</b> 0.50 kg <b>Delivered</b> 11/08/2006 10:44:00 <b>Signed</b> M.OGURI	<b>L+P</b> 11/9/06		
<b>BATCH NO. G8524 BSH - NGO</b>		<b>SUBTOTAL GBP</b>	<b>38.42</b>

## APPENDIX 12

**Gill Howells**

---

**From:** Kate Lingard  
**Sent:** 02 October 2006 15:00  
**To:** Gill Howells  
**Subject:** Ryan

Dr. Ryan D. Egeland  
16505 Birch Briar Trail  
Plymouth, MN 55447  
USA

Gill – am going through old emails at the moment and I found an old email from Ryan with what I assume was his parents address – he said it was his permanent address (although that was back in 2004). It might be worth sending him a letter again – I have reprinted the letter and forms – can you arrange for it to be sent by Fedex.

Thanks Kate

Kate Lingard  
Patent Portfolio Manager  
Oxford Gene Technology  
Begbroke Science Park  
Sandy Lane Yarnton  
Oxford OX5 1PF UK

T: +44 (0)1865 842 603  
F: +44 (0)1865 842 684  
E: kate.lingard@ogt.co.uk  
W: www.ogt.co.uk

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## APPENDIX 13

02 October 2006

Dr Ryan Egeland  
16505 Birch Briar Trail  
Plymouth, MN 55447  
USA

Our Ref: 8/US-1

Dear Ryan,

**OGT Patent Family 8 – Electrochemical Treatment of Substrates**  
**International Patent Application No. PCT/GB2004/004390 published as WO2005/037425**

The family 8 patent application, for which you are a named inventor, has reached the national stage of its lifespan and OGT is taking prosecution of the patent forward in Europe, Japan and the US.

To proceed with a US patent application it is standard practice for all named inventors to sign a) Declaration and Power of Attorney forms and b) Assignment forms in order to process the applications.

The Declaration and Power of Attorney form allows the US patent attorney firm Wenderoth, Lind & Ponack to accept instructions from Carpmals and Ransford on our behalf as only US firms have the authority to transact business with the US patent office. The Assignment Form gives OGT IP Ltd the right to be named as the Assignee on the patent.

Please can you sign and date the enclosed Assignment document (on page 2) in the presence of two witnesses and sign and date the Declaration and Power of Attorney form (on page 3) and return them to me as soon as possible so that we can progress examination of the application as soon as possible. I have enclosed a copy of each form for you to keep for your own records.

If you have any questions please let me know.

Yours sincerely

Kate Lingard  
Patent Portfolio Manager

**Enc.** Assignment form and Declaration/Power of Attorney form

## APPENDIX 14

**TOTAL AMOUNT DUE** GBP 481.36

See remittance advice for amount payable.

**INVOICE**

PAGE 5 OF 5

INVOICE NO. 5-250-50631

(12)

**AIRWAYBILL NO. 858 0782 05892****SHIPMENT DATE : 03/10/2006**

Sender  
OXFORD GENE TECHNOLOGY IP  
BEGBROKE BUSINESS & SCIENC  
THE HIRSCH BLDG, SANDY LAN  
YARNTON, OXFORD  
OX6

Recipient  
DR RYAN EGELAND  
16505 BIRCH BRIAR TRAIL  
PLYMOUTH MN 55447 US

FUEL SURCHARGE GBP 3.61  
FREIGHT GBP 27.80

Senders Ref 137

Service FEDEX ENVELOPE

VAT Exempt according to Article 15.13 of the Sixth Directive

Package Delivered to Recipient Address - Release Authorized

Fuel Surcharge - FedEx has applied a fuel surcharge to this shipment of 13.00%

Pieces 1  
Weight 0.50 kg  
Delivered 04/10/2006 10:11:00  
Signed DAVE EGELAND

BATCH NO. 29204 XRE - AEL

SUBTOTAL GBP

31.41

**AIRWAYBILL NO. 900 2035 04914****SHIPMENT DATE : 07/09/2006**

Sender  
FDX/GYY/GROUND  
FDX/GYY  
875 W DIVISIN ST  
CHICAGO IL 60622 US

Recipient  
OXFORD GENE TECHNOLOGY IP  
RETURNS G. HOWELLS  
BEGBROKE BUSINESS & SCIENC  
THE HIRSCH BLDG SANDY LANE  
YARNTON OXFORD  
OX5 1PF

FUEL SURCHARGE 7.65 USD GBP 4.12  
FREIGHT 45.00 USD GBP 24.23

Senders Ref RTS 838766890568

Service FEDEX PAK

VAT Exempt according to Article 14 (i) of the Sixth Directive

FedEx has audited this airbill for correct pieces, weight, and service. Any changes made are reflected in the invoice amount.

Fuel Surcharge - FedEx has applied a fuel surcharge to this shipment of 17.00%

Pieces 1  
Weight 0.18 kg  
Delivered 11/09/2006 07:17:00  
Signed B.OYCE

BATCH NO. X5657 GYY - XRE

USD-GBP 0.5383

SUBTOTAL GBP

28.35

Total Charges at 17.5% VAT	Discount on Total Charges at 17.5% VAT	Net Amount of Charges at 17.5% VAT	VAT at 17.5%	Total Amount Due at 17.5%
0.00	0.00	0.00		
Total Charges at 0% VAT	Discount on Total Charges at 0% VAT	Net Amount of Charges at 0% VAT	VAT at 0%	Total Amount Due at 0%
481.36	0.00	481.36	0.00	481.36
<b>TOTAL AMOUNT DUE GBP</b>				<b>481.36</b>

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DETACH HERE AND SEND WITH YOUR PAYMENT

Date: \_\_\_\_\_

Bank Giro Credit



Paid in by: \_\_\_\_\_  
Cashiers Stamp and Initials

NATWEST  
ST JAMES & PICADILLY  
208 PICCADILLY BRANCH  
FEDERAL EXPRESS EUROPE INC.

OXFORD GENE TECHNOLOGY IP LTD  
Customer Number: 2656-2819-2  
Invoice Number: 5-250-50631  
TOTAL AMOUNT DUE: GBP 481.36

Account Number 17068371

Sorting Code Number

0 56-00-03

17068371

Cash

Cheques

£

PLEASE DO NOT WRITE OR MARK BELOW THIS LINE

&lt;265628192525050631&lt; 560003+ 17068371 &lt; 73 X

## APPENDIX 15



15

## Gill Howells

---

**From:** Michael Bennett  
**Sent:** 29 November 2006 11:04  
**To:** Gill Howells  
**Subject:** FW: signature

---

**From:** Michael Bennett  
**Sent:** 27 November 2006 14:20  
**To:** 'ryan@egeland.net'  
**Subject:** signature

Hello Ryan,

We have been trying to send you some patent documents for your signature. Could you confirm your address please and we will forward them to you?

Michael

---

Dr. Michael Bennett CBiol MIBiol  
VP Licensing and Patents  
Oxford Gene Technology  
Begbroke Science Park  
Sandy Lane Yarnton  
Oxford OX5 1PF UK

T: +44 (0) 1865 842 603  
F: +44 (0) 1865 848 684  
M: +44 (0) 7738 183 601  
E: [michael.bennett@ogt.co.uk](mailto:michael.bennett@ogt.co.uk)  
W: [www.ogt.co.uk](http://www.ogt.co.uk)

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12/02/2007

## APPENDIX 16

From:  
Sent: 12/18/06 15:07:25  
To: Michael.Bennett@ogt.co.uk  
cc:  
bcc:  
Subject: Trying to contact Ryan F8/US-1

Mike,

I have just tried calling. It went through to voicemail (it was Ryans voice so we do have the right number).

I have left a message asking him to call and speak to myself, you or Pete.

Gill

---

From: Michael Bennett  
Sent: 27 November 2006 15:52  
To: Gill Howells  
Subject: RE: Contact details for Ryan

Ive emailed him. We will wait and see if he responds. If not we will phone him.

M.

---

From: Gill Howells  
Sent: 23 November 2006 16:15  
To: Michael Bennett  
Subject: Contact details for Ryan

Mike,

We have tried sending the documents via fedex to both addresses so I dont think it is worth trying that route again. I guess his home number is the best one to get him on. Are you happy to try him or should I?

Gill  
Ryan D. Egeland, MD PhD MBA  
Resident Surgeon  
Division of Plastic Surgery  
Northwestern Memorial Hospital  
Current Residence  
1809 N. Lincoln Park West, Apt B1  
Chicago, IL 60614  
312.437.5200 (c) 206.202.4624 (f)  
ryan@egeland.net

## APPENDIX 17

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17

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<< FORWARDED MESSAGE FOLLOWS >>

FROM: "Min Wang" <mwang@kirkland.com>  
SENT: 16/03/2007 08:11:07  
TO: , Gill.Howells@ogt.co.uk  
CC: bhales@kirkland.com, Michael.Bennett@ogt.co.uk, Pete.Hotten@ogt.co.uk  
SUBJECT: Ryan Egeland[Scanned]

<< ATTACHMENT: Header >>

Gill,

Bryan is currently out of the country and he asked me to respond to your message below. As we are investigating the feasibility of sending someone to Ryan's address with the documents to be signed, it turns out that our previous letter was sent to Ryan's Boston address (as indicated on the assignment documents). As such, we sent another letter to his Chicago address yesterday and will send someone to his Chicago address if we do not hear from him within the next week or so.

Best regards,  
Min

Min Wang  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, IL 60601  
(312) 861-2417 (tel)  
(312) 660-9741 (fax)

"Gill Howells" <Gill.Howells@ogt.co.uk>

03/13/2007 09:46 AM

To  
"Bryan Hales" <bhales@kirkland.com>  
cc  
"Michael Bennett" <Michael.Bennett@ogt.co.uk> "Pete Hotten" <Pete.Hotten@ogt.co.uk>  
Subject  
Ryan Egeland

## APPENDIX 18

----- Original Message -----

From: "Gill Howells" [Gill.Howells@ogt.co.uk]

Sent: 03/22/2007 09:57 AM GMT

To: Min Wang

Cc: Bryan Hales

Subject: Ryan Egeland

Min,

Have you had any response as yet to the letter that was sent to Ryan's Chicago address?

Kind regards.

Gill

Gill Howells  
Licensing & Patents Administrator  
Oxford Gene Technology  
Begbroke Science Park  
Sandy Lane Yarnton  
Oxford OX5 1PF UK

T: +44 (0)1865 842 603  
F: +44 (0)1865 848 684  
E: gill.howells@ogt.co.uk  
W: www.ogt.co.uk

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OX5 2HB

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From: Min Wang [mailto:mwang@kirkland.com]  
Sent: 16 March 2007 08:11  
To: Gill Howells  
Cc: Michael Bennett; Pete Hotten; Bryan Hales  
Subject: Ryan Egeland[Scanned]

Gill,

Bryan is currently out of the country and he asked me to respond to your message below. As we are investigating the feasibility of sending someone to Ryan's address with the documents to

## APPENDIX 19



FYI and further instructions.

(19)

Caroline P. Lippert  
Kirkland & Ellis LLP

<< FORWARDED MESSAGE FOLLOWS >>

FROM: "Min Wang" <mwang@kirkland.com>  
SENT: 29/03/2007 01:35:22

TO: , Gill.Howells@ogt.co.uk  
CC: bhales@kirkland.com

SUBJECT: Re: Ryan Egeland[Scanned]

<< ATTACHMENT: Header >>

Gill,

We sent someone to Ryan's work address and home address in Chicago on March 27. He did not find Ryan at either place. According to the House Staff Coordinator of Surgery, Ryan is on a two-week vacation and will not return to work until April 9, 2007. We will ask him to visit Ryan again after April 9.

Regards,  
Min

Min Wang  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, IL 60601  
(312) 861-2417 (tel)  
(312) 660-9741 (fax)

\*\*\*\*\*

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<< FORWARDED MESSAGE FOLLOWS >>

## APPENDIX 20

<< FORWARDED MESSAGE FOLLOWS >>

FROM: "Min Wang" <mwang@kirkland.com>  
SENT: 12/04/2007 18:12:16  
TO: , Gill.Howells@ogt.co.uk  
CC: bhales@kirkland.com

SUBJECT: Fw: Egeland Matter[Scanned]

<< ATTACHMENT: Header >>

Gill,

The firm we hired went to Ryan's workplace and apartment on 4/7 and 4/9. It appears that he is intentionally avoiding us. Please let us know how you would like to handle or if you would like them to keep trying or be more aggressive.

Regards,  
Min

Min Wang  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, IL 60601  
(312) 861-2417 (tel)  
(312) 660-9741 (fax)

----- Forwarded by Min Wang/Chicago/Kirkland-Ellis on  
04/12/2007 12:05 PM -----

Caroline	
Lippert/C	
hicago/Ki	To
rkland-Ellis	Thomas
	Gallo/Chicago/Kirkland-
	Ellis@K&E, Min
04/12/2007	Wang/Chicago/Kirkland-E
7 10:04 AM	llis@K&E
	cc

Subject  
Fw: Egeland Matter

FYI and further instructions.

Caroline P. Lippert  
Kirkland & Ellis LLP

<< FORWARDED MESSAGE FOLLOWS >>

FROM: "Min Wang" <mwang@kirkland.com>  
SENT: 29/03/2007 01:35:22

## APPENDIX 21

Best Available Copy  
INCOMING EMAIL MESSAGE

CJM

P03566745

(21)

FROM: "Gill Howells" <Gill.Howells@ogt.co.uk>  
SENT: 23/04/2007 11:04:43  
TO: CJM@carpmaels.com

SUBJECT: Ryan - latest update. Pete may call you to discuss!!

Ryan - latest contact attempts

Friday 6th March 2007 - Bryan Hales left voicemail message on Ryan's mobile phone.

Friday 23rd March 2007 - Ming Wang left voicemail message on Ryan's mobile phone.

Tuesday 27th March 2007 - K&E sent someone to Ryan's work and home address. According to the House Staff Ryan is on a two week vacation and will return to work on 9th April.

Monday 9th April 2007 - James Mintz Group called his pager Visit to Ryan's workplace and apartment.

Monday, April 9, 2007 we went to Northwestern Memorial to deliver the documents to Egeland. We were met by a gentleman who identified himself as the hospital's registered agent named Rob Christopher (phone

number: 312 503-7975). Rob told us that Egeland was still on vacation and he did not know when Egeland would return. When we told Rob that Egeland was expected back to work today, he did not respond. We called Egeland's pager number, but he did not respond.

Although, we were at the hospital, we used our cell phone and called the hospital to speak to Egeland. We were told that he was not in the building.

We left the hospital and went to Egeland's residence.

We were able to gain access and went up to his apartment. Through the peephole we could see light and we could hear a television. After knocking on the door, a shadow appeared in front of the peephole. At this time, the lights and the television were turned off. We continued to knock but there was no response from the person inside the apartment. We waited at the property for about an hour, however, Egeland did not exit his unit.

Wednesday 11th April 2007 - James Mintz Group visited Ryan's workplace and apartment

On Wednesday, April 11, 2007 we returned to Northwestern Memorial in an

Best Available Copy  
Although, we were at the hospital we used our cell phone and called the hospital to speak to Egeland. We were told that he was not in the building.

We left the hospital and went to Egeland's residence.

We were able to gain access and went up to his apartment. Through the peephole we could see light and we could hear a television. After knocking on the door, a shadow appeared in front of the peephole. At this time, the lights and the television were turned off. We continued to knock but there was no response from the person inside the apartment. We waited at the property for about an hour, however, Egeland did not exit his unit.

Wednesday 11th April 2007 - James Mintz Group visited Ryan's workplace and apartment

On Wednesday, April 11, 2007 we returned to Northwestern Memorial in an

effort to deliver the documents to Egeland. We were told by the staff that Egeland was not at the hospital. Again, we gained access to his apartment and we went up to his residence. We called Egeland on the apartment's intercom system and his voice mail answered. We observed lights on in his unit and we could hear a television or radio from inside the apartment. We knocked on the door but there was no answer. We left the property after an hour because Egeland did not leave his unit.

Tuesday 17th April 2007 - email from Min Wang to ryan@egeland.net enclosing Power of Attorney documents. Min Wang also left message on Ryan's mobile phone.

Wednesday 18th April 2007 - report by James Mintz Group:-

We called Northwestern and were told that there is no way of knowing whether or not Egeland was on the premises. When asked if he was scheduled to work today, we were told yes.

We went to the hospital and asked for Egeland on the 12th and 19th floors, both are supposedly linked to the Plastic Surgery department.

Egeland was not on either floor and the staff either said they did not know Egeland or that he was not at the hospital today. After speaking to a nurse, we were told that Egeland and other residents often work at the Evanston campus and at other Cook County hospitals. We paged Egeland at the hospital, but he did not respond.

We left the hospital and went to Egeland's residence.

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effort to deliver. We were told by the staff that Egeland was not at the hospital. Again, we gained access to his apartment and we went up to his residence. We called Egeland on the apartment's intercom system and his voice mail answered. We observed lights on in his unit and we could hear a television or radio from inside the apartment. We knocked on the door but there was no answer. We left the property after an hour because Egeland did not leave his unit.

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We left the hospital and went to Egeland's residence.

We were able to gain access to the building. There was no answer at his door and we did not hear any noise and/or movement in his unit. We went back downstairs and called Egeland's number listed on the buildings intercom system, but his answering machine picked up.

A maintenance man was in the hallway and asked if we needed assistance. When told that we were there to see the tenant in unit B1, the maintenance man responded that Egeland left the property early this morning.

We called Egeland at (312) 281-2581 and left a detailed message informing him of our purpose in trying to meet with him. Egeland did not return our call.

Thursday 19th April 2007

We returned to North Western and again were told that Egeland's whereabouts were unknown. We paged Egeland again, still no response.

Best Available Copy

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Thursday 19th April 2007

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Egeland was also not at his residence when we arrived.

We left another message with our phone number and purpose of the call on Egeland's voicemail. He has not responded to our call.





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,818	Ryan D. Egeland	20060521A

513  
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PCT/GB04/04390	
I.A. FILING DATE	PRIORITY DATE
10/15/2004	10/15/2003

CONFIRMATION NO. 3674  
 371 FORMALITIES LETTER



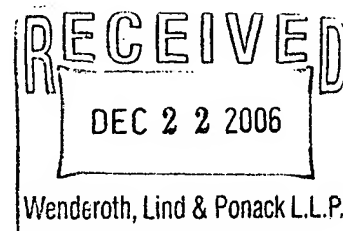
\*OC000000021649442\*

Date Mailed: 12/21/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/06/2006
- Copy of the International Search Report filed on 04/06/2006
- Copy of IPE Report filed on 04/06/2006
- Copy of Annexes to the IPER filed on 04/06/2006
- Information Disclosure Statements filed on 04/06/2006
- Oath or Declaration filed on 04/06/2006
- Request for Immediate Examination filed on 04/06/2006
- U.S. Basic National Fees filed on 04/06/2006
- Priority Documents filed on 04/06/2006
- Specification filed on 04/06/2006
- Claims filed on 04/06/2006
- Abstracts filed on 04/06/2006
- Drawings filed on 04/06/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,818	PCT/GB04/04390	20060521A